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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,039	09/24/2003	Robert D. Burrows	25339A	5052
22889	7590	07/01/2005	EXAMINER	
OWENS CORNING 2790 COLUMBUS ROAD GRANVILLE, OH 43023			DIXON, MERRICK L	
			ART UNIT	PAPER NUMBER
			1774	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,039

Applicant(s)

BURROWS, ROBERT D.

Examiner

Merrick Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1--27 is/are pending in the application.
4a) Of the above claim(s) 11-27 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-10 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


MERRICK DIXON
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-8-04;3-4-05.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

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1. Applicants election of claims 1-10 on 6-2-05 is acknowledged. Applicants traversed the restriction and contend the searches and examination of the entire application would not be a serious burden to the office. The examiner disagrees. The searches for the distinct and separate inventions would require different search strategies an evident by their different classifications. The examiner further notes applicants desire to cancel the non-elected claims.

2. Claims 8-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the claims it is not understood how the veil elongation changes whenever compression molded. It would appear the elongation would remain constant during any compression molding. Are the molding sequentially done?

3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants are reminded of the use of trademark name "Vinamul 7700" in the claims.

Applicants are requested to make related correction to the claim.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1,2 and 4-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaji et al(US 4923547).

The cited reference teaches the claimed invention including a conformable veil comprising a plurality of fibers having identical lengths and a polystyrene based binder applied thereto-col 2, lines 59-66; col 3, lines 1-6; col 8, lines 55-64. concerning claim 2, the reference teaches similar fiber lengths in col 2, lines 61; col 5, lines 64-66; col 6, lines 12-14. concerning claim 4, the reference teaches glass fibers in col 2, lines 54. concerning claim 5, the reference teaches polystyrene binder in col 3, line 4. concerning claim 6, the reference teaches the polystyrene emulsion, Vinamul 7700 in col 3, lines 1-4 (It is noted polystyrene emulsion is Vinamul 7700- see accompanying US 3963820 reference; col 9, lines 16-18). Concerning claim 7, the reference teaches claimed diameter in col 5, lines 65-67. the binder is also dissolved in a resin. Concerning claims 8-10, the reference would indeed possess the claimed elongation when compression molded as such properties would be inherent.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaji et al(US 4923547) as applied to claims 1,2 and 4-10 above, and further in view of Kuwazuru et al(US 4579774).

The reference to Kuwazuru et al teaches the aspect of including binder material in fiber impregnated product as taught by Yamaji et al- col 4, lines 16-39; col 6, lines 44-55. it would have been obvious to one of ordinary skill in the art at the time the invention is made to combine the teaching of Kuwazuru et al and provide specific amount binder material for the impregnated product taught by Yamaji et al , in the absence of unexpected results and motivated by the desire to impart desired characteristics thereto – col 4, lines 5-15. the references are combineable for they relate to impregnated fibrous material.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Blakey(US 3963820),Reiterer et al(US 6746974 B1) and Bean et al(US 6743522 B2) are cited of interest for their respective teachings as set forth and additionally to show the state of the art.

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Applicants who wish to send a facsimile (draft copies) for the examiner's immediate review can do so by using the Examiner's personal fax number at 571-273-1520. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). **NOTE: All facsimiles sent to the examiner's**

personal fax number should be in draft-forms and will be treated as informal.

Same facsimiles will not be entered in the related applications unless otherwise agreed and noted by the examiner.

The fax number for all other fascimile is 703-872-9306.

Information about **the status of an application** may be obtained from the Patent Information Retrieval system (**Private PAIR**).

Status inquires for **published applications** may be retrieved from either **Private PAIR** or **Public PAIR**. Questions about the PAIR system should be directed to the Electronic Business Center at **866-217-9197**.

Any questions concerning the instant communication should be directed to Examiner Dixon, at 571-272-1520, Mondays to Thursdays, between 12 noon and 8 PM, eastern time . The examiner's supervisor, Mrs. Rena Dye, can be reached at 571-272-3186.



Merrick Dixon

Primary Examiner

Group 1700